

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 SSO-00 NSCE-00 USIE-00
INRE-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 SY-05
USSS-00 FBIE-00 MCT-01 A-01 /059 W
-----181426Z 062375 /43

O 181350Z MAY 77
FM AMEMBASSY NICOSIA
TO SECSTATE WASHDC IMMEDIATE 5858

C O N F I D E N T I A L NICOSIA 1315

E.O. 11652: GDS
TAGS: PFOR, CY
SUBJECT: DAVIES TRIAL

SUMMARY: TWELVE MORE WITNESSES WERE HEARD ON MAY 12 AND 13.
THREE OF THE TWELVE SAW KTIMATIAS AT THE SCENE WITH AN
AUTOMATIC WEAPON. ANOTHER WITNESS SAW KTIMATIAS FIRING AT
THE EMBASSY AND SAW LEFTIS AT THE SCENE. NATIONAL GUARD
BRIGADIER AZINAS REFUTED LEFTIS' ALIBI THAT HE WAS AT THE
EMBASSY AS PART OF A DUTY ASSIGNMENT. END SUMMARY.

1. IN THE FOLLOWING ACCOUNT ONLY SIGNIFICANT TESTIMONY WILL BE
REPORTED, OR THAT TESTIMONY WHICH IS NOTICEABLY DIFFERENT FROM
THE INFORMATION THE WITNESSES FURNISHED IN THEIR SIGNED STATEMENTS.

2. PROCEEDINGS OF MAY 12:

A. CYPOL SUPERINTENDENT LOUCAS HAVIARAS TESTIFIED HE HAD
HEARD SHOTS FROM THE EMBASSY AREA BUT DETERMINED THE SOUNDS
HAD COME FROM THE LAUNCHING OF TEAR GAS CANNISTERS FROM THE
ROOF OF THE EMBASSY. HE SAW KTIMATIAS NEAR THE BUILDING UNDER
CONSTRUCTION ARMED WITH AN AUTOMATIC WEAPON. HE DID NOT SEE
KTIMATIAS FIRE THE WEAPON.

B. VASSOS MAVRAKIS TESTIFIED THAT ALTHOUGH HE DID NOT
APPROACH THE EMBASSY HE HAD SEEN KTIMATIAS IN THE AREA OF THE
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BUILDING UNDER CONSTRUCTION.

C. POLICE CONSTABLE JOHN KYPREOS TESTIFIED HE WAS AT THE
SCENE AS CHIEF OF POLICE PANTELIDES' BODYGUARD. HE SAW KTIMATIAS
CARRYING A KALASHNIKOV AUTOMATIC WEAPON DIRECTED TOWARDS THE
EMBASSY BUILDING.

D. CYPOL SUPERINTENDENT ANDREAS RIGHAS' TESTIMONY PROVED TO
BE COMPLETELY AMBIVALENT AND AMBIGUOUS. HE COULD REMEMBER NOTH-

ING WHICH WOULD ASSIST THE PROSECUTION'S EFFORTS. END OF MAY
12 PROCEEDINGS.

3. PROCEEDINGS OF MAY 13:

A. CYPOL INSPECTOR EFSTATHIOS AVGUSTIS PROVED TO BE AN UN-
COOPERATIVE WITNESS. HE RECALLED NOTHING WHICH COULD ADVERSELY
AFFECT THE DEFENDANTS.

B. NATIONAL GUARD BRIGADIER AZINAS TESTIFIED HE HAD SEEN
LEFTIS AT THE NATIONAL GUARD CAMP ON THE MORNING OF AUGUST 19,
1974. HE GAVE LEFTIS NO PERSONAL ORDERS TO PROCEED TO THE EMB-
ASSY. HE SAID IT WAS POSSIBLE THAT A SUBORDINATE OFFICER MAY
HAVE DONE SO, EVEN THOUGH IT WOULD HAVE EXCEEDED HIS AUTHORITY
TO DO SO. HE SAID HE REGARDED LEFTIS AS JUST ANOTHER VOLUNTEER
SOLDIER (PRIVATE) IN THE NATIONAL GUARD. (COMMENT: IN ESSENCE,
AZINAS EFFECTIVELY DESTROYED LEFTIS' ALIBI THAT AS A VOLUNTEER
MAJOR IN THE NATIONAL GUARD HE HAD BEEN ORDERED BY AZINAS TO
PROCEED TO THE EMBASSY WITH LT. XENOFONTOAS AND OTHERS TO RE-
STORE ORDER. END COMMENT.)

C. THEOFILOS THEOFILOU TESTIFIED THAT HE SAW A PERSON
(KTIMATIAS) DRIVING A BLUE MAZDA STOP NEAR THE BUILDING UNDER
CONSTRUCTION, REMOVE AN AUTOMATIC WEAPON AND SPARE MAGAZINE FROM
THE TRUNK OF THE CAR, AND WALK TO THE BUILDING UNDER CONSTRUC-
TION. A SHORT TIME LATER HE HEARD BURSTS OF SHOTS FROM SAID
BUILDING.

D. CHRISTOFOROS LAMBRIANIDES TESTIFIED THAT HE SAW TWO MEN
WEARING RED BERETS FIRING AT THE EMBASSY. THEN HE SAW A PERSON
KNOWN TO HIM AS KTIMATIAS FIRING AT THE EMBASSY FROM IN FRONT OF
THE BUILDING UNDER CONSTRUCTION. HE SAID HE WAS ONLY TWO METERS
FROM KTIMATIAS AT THE TIME. FURTHER, HE SAW LEFTIS STANDING BY
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THE ENTRANCE OF THE BUILDING UNDER CONSTRUCTION AT ABOUT 1300
HOURS, AFTER THE FIRING HAD STOPPED. HE BELIEVED THAT LEFTIS
DID NOT HAVE A GUN WITH HIM AT THAT TIME.

E. POLICE SERGEANT LOUCAS PANAYIOTOU TESTIFIED HE SAW
KTIMATIAS AT THE SCENE WITH AN AUTOMATIC WEAPON. HE TOLD KTIMAT-
IAS NOT TO DO ANYTHING FOOLISH. HE EXPLAINED ON CROSS-EXAMIN-
ATION THAT BY HIS REMARK HE MEANT TO WARN KTIMATIAS NOT TO USE
THE AUTOMATIC WEAPON. END OF MAY 13 PROCEEDINGS.

4. AT THE REQUEST OF PROSECUTING LAWYERS, PHERSON MET WITH THEM
TO DISCUSS MAY 12 AND MAY 13 TRIAL DEVELOPMENTS. RE AVGUSTIS'
TESTIMONY (PARA 3A ABOVE), PHERSON REMINDED PROSECUTORS THAT IN
HIS SIGNED STATEMENT TO POLICE AVGUSTIS HAD SAID HE HAD SEEN
LEFTIS IN THE CROWD AS HE HELPED REMOVE THE MORTALLY WOUNDED
AMBASSADOR FROM THE EMBASSY. PROSECUTORS STATED THAT AVGUSTIS IS
REGARDED AS A STRONG EOKA-B SUPPORTER AND IS STILL UNDER SUSPEN-
SION FROM CYPOL. RE LAMBRIANIDES' TESTIMONY (PARA 3D ABOVE),
PROSECUTORS TOLD PHERSON THAT LAMBRIANIDES WAS A VERY FORCEFUL
AND EFFECTIVE WITNESS. PROSECUTORS WERE NOT AWARE THAT LAMBRIAN-

IDES WAS AN AKEL ACTIVIST AND WAS TO HAVE BEEN ONE OF THE DEFENDANTS UNTIL HE HAD AGREED TO TESTIFY AS A PROSECUTION WITNESS.

5. THE PROSECUTING LAWYERS HAVE EXPRESSED THEIR WISH TO CONTINUE TO CONSULT INFORMALLY WITH PHERSON REGARDING TRIAL DEVELOPMENTS. WE THINK THIS IS A HELPFUL AND APPROPRIATE USE OF HIS PRESENCE HERE, AS THEIR KNOWLEDGE OF PRE-TRIAL INVESTIGATION IS CONSIDERABLY LESS THAN HIS. AS ARRANGED BEFORE TRIAL BEGAN, EMBASSY/PERSON IS BEING INFORMED OF TRIAL DEVELOPMENTS ON A COMPLETE AND DAILY BASIS THROUGH REPORTING OF COMPETENT FSL WHO ATTENDS ALL SESSIONS. THESE ARE OPEN TO THE PUBLIC AND THE PRESS AND ARE ATTENDED IN THE MAIN BY SUPPORTERS OF THE ACCUSED. CRAWFORD

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Message Attributes

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